



**UNITED STATES DEPARTMENT OF COMMERCE  
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/206,663 12/07/98 SKEEN

M VIT02

EXAMINER

TM02/0703

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RONES, C

ART UNIT

PAPER NUMBER

2171

DATE MAILED:

07/03/01

**Please find below and/or attached an Office communication concerning this application or proceeding.**

**Commissioner of Patents and Trademarks**

SW

**Office Action Summary**

Application No.

09/206,663

Applicant(s)

SKEEN, MARION D.

Examiner

Charles L. Rones

Art Unit

2171

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 29 May 2001.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claims \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are objected to by the Examiner.
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. § 119**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. & 119(e).

**Attachment(s)**

- 15) ☒ Notice of References Cited (PTO-892)
- 16) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 17) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_
- 18) ☐ Interview Summary (PTO-413) Paper No(s) \_\_\_\_\_
- 19) ☐ Notice of Informal Patent Application (PTO-152)
- 20) ☐ Other: \_\_\_\_\_

## DETAILED ACTION

### *Specification*

The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

### ***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-20 are rejected under 35 U.S.C. 102(b) as being anticipated by Risberg et al. U.S. Patent No. 5,339,392 ('**Risberg**').

**Risberg** discloses:

3. As to claim 1,

means for receiving complex queries posed by a plurality of users wherein user defined scripted commands are deemed to be complex queries executed on a network providing for a plurality of users; See 2:7-15; 4:8-29; 8:55-58; 10:54-34; 23:24-36; 65:37-67; Fig. 37;

means for providing for each of the queries an executable query process  
furnishing a result when data sources satisfy constraints (limits, threshold) of the query;  
See 2:7-15; 8:19-58; 10:5-34; 23:5-67;

means for providing data sources, the data sources including an event source  
wherein an event trigger is deemed to operate from a source; See 2:7-15; 3:14-61;  
8:55-67; 10:5-34; 16:10-18; 27:1-10; 28:40-47; 66:10-15;

means for furnishing results of executed query processors to users; See 3:32-67;  
4:1-8; 10:29-34; 11:18-35; 22:25-29; 28:50-67.

4. As to claim 2,

means for responding to an event comprises means for providing an index for  
testing whether constraints of a query process match attributes of events wherein  
comparing data fields (attributes) of a database are deemed to be done using an index  
of the data fields; See 9:20-27; 16:8-18; 23:1-67; 28:30-61.

5. As to claim 3,

all query processes having constraints matching attributes in an event are  
executed simultaneously; See 10:29-34; 23:48-55; 26:10-20; 60:1-37; 90:21-25; 92:38-  
51; 99:10-16.

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6. As to claim 4,

a query process is persistent until removed; See 23:48-55; 24:18-22; 25:3-32; 35:60-67; 37:16-22; 44:3-66.

7. As to claim 5,

means for providing for each of the queries an executable query process includes means for changing the query processes for which results are required (deemed to occur while the process is functioning); See 4:23-29; 5:3-18; 10:5-28; 20:53-58.

8. As to claim 6,

means for furnishing results of executed query processes to users comprises means for providing results to users whenever incremental changes in query results occur; See 3:48-66; 10:5-33; 11:16-35; 12:45-50; 18:55-60; 22:10-29; 23:48-55; 24:18-28.

9. As to claim 7,

means for providing results to users whenever incremental changes in query results occur includes means for determining incremental changes in query results; See 3:48-66; 10:5-33; 11:16-35; 12:45-50; 18:55-60; 22:10-29; 23:48-55; 24:18-28.

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10. As to claim 8,

the data sources comprise event service (deemed to furnish events); See 24:16-28; 27:1-10; 28:40-61; 45:40-61; 45:13-20; 92:38-51; 115:3-14.

11. As to claim 9,

means for furnishing results of executed query processes to users comprises an event service; See 24:16-28; 27:1-10; 28:40-61; 45:40-61; 45:13-20; 92:38-51; 115:3-14.

12. As to claim 10,

means for providing data sources comprises means for providing historical data (deemed to be from a source of historical data); See Fig. 1; 3:41-66; 10:5-33; 12:45-50; 18:56-60; 90:7-11.

13. As to claims 11-20,

Risberg discloses the process and apparatus as described above in the corresponding claims above, therefore these claims are likewise rejected as stated above. See Abstract and column 2, lines 26-31.

### ***Response to Arguments***

Applicant's arguments filed May 29, 2001 have been fully considered but they are not persuasive.

Firstly, applicant argues that Risberg does not describe a system that receives or processes queries.

In response, examiner maintains that Risberg describes a system that receives or processes queries wherein scripts, indexes, and databases are used to retrieve information which is deemed to be queried; See 21:25-33; 22:12-29; 28:1-38.

Secondly, applicant argues that Risberg does not disclose a real time decision support system.

In response, examiner maintains that Risberg discloses each functional element of applicant's invention.

Thirdly, applicant argues that Risberg does not disclose a system for querying; See previous response.

Lastly, applicant argues that Risberg does not disclose an event used to trigger query processing.

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In response, examiner maintains that Risberg discloses triggering by an event for query processing wherein the scripts are deemed to perform querying on a database activated by an event; See 21:25-33; 22:12-29; 28:1-38.

### ***Conclusion***

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Charles L. Roncs whose telephone number is 703-306-3030. The examiner can normally be reached on Monday-Thursday 8am-4pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomas G. Black can be reached on 703-305-9707. The fax phone numbers for the organization where this application or proceeding is assigned are 703-



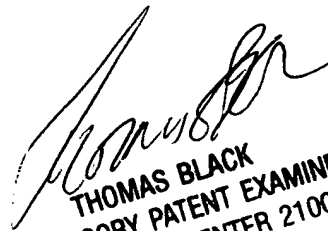
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308-9051 for regular communications and 703-308-9051 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3800.



Rones  
June 25, 2001



THOMAS BLACK  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2100